



Express Mail Certificate No. EV 331 981 235 US
Docket No. 21272-502

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Asundi et al.

Serial No: 10/084,643

Filed: February 26, 2002

For: NOVEL NUCLEIC ACIDS
AND POLYPEPTIDES

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that this correspondence and any documents referred to as being enclosed therewith are being deposited with the U.S. Postal Service on **April 28, 2003**, in an envelope addressed to: Mail Stop SEQUENCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, utilizing the "Express Mail Post Office to Addressee" service of the U.S. Postal Service under Express Mail Label No. EV 331 981 261 US.

Name of Person signing Certificate: Donna B. Rose

Donna B. Rose

Signature of Person Mailing

PRELIMINARY AMENDMENT

Mail Stop SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts mailed on May 9, 2002, and to the decision made by the Office of Petitions and mailed on January 29, 2003 (Paper No. 8), Applicants herewith submit a substitute specification (Appendix A). Pursuant to 37 CFR § 1.121, a marked up version of the amended text showing the changes made appears herein as Appendix B.

The changes made in the substitute specification include: an amendment of the margins of Table 1 at page 21; the renumbering of the pages to result in consecutive page numbering; and the canceling of all references to the Tables that were not accepted by the USPTO as part of the specification. These amendments do not introduce new matter.

Paper No. 8 states that there are no provisions for transferring sequence listings from other previously filed cases. Applicants herewith submit a Sequence Listing according to 37 CFR 1.821(c) that contains all of the sequences contained in the prior cases disclosed in the Request for Transfer of Sequence Listing filed by Applicants on 02/26/2002. The enclosed Sequence Listing is the compilation of sequences of the prior individual cases, and the sequences in the present listing are now numbered consecutively. Applicants have amended the specification accordingly as described in the paragraph beginning at page 3, line 17 in the substitute specification to relate the SEQ ID NOs of the individual cases to the corresponding SEQ ID NOs in the enclosed Sequence Listing.

Finally, the total number of sequences for gene families 748, 752, 778, and 787 have been amended in the Table 1 at page 20, and corresponding changes have been made throughout the substitute specification. The numbers of sequences originally listed for these 4 cases were amended to correct obvious typographical errors. The amended numbers now correspond to the number of sequences that were previously filed in the sequence listing of the individual cases. For example, the sequence listing for the previously filed gene family 782 contains 10,451 sequences, and Table 1 was amended to reflect this number. Therefore, no new matter has been added.

Should you have any questions regarding this amendment, please do not hesitate to call me directly at (408) 215-4556.

Respectfully submitted,

Date: April 28, 2003

By: 

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